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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/786,650	02/24/2004	Alexander William Oxford	56476-DIV1 (71661)	2990
21874 75	90 11/02/2005		EXAMINER	
EDWARDS & ANGELL, LLP			TRUONG, TAMTHOM NGO	
P.O. BOX 5587			ART UNIT	PAPER NUMBER
BOSTON, MA 02205			ARTONII	PAPER NUMBER
			1624	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Office Action Occurrence	10/786,650	OXFORD ET AL.			
Office Action Summary	Examiner	Art Unit			
	Tamthom N. Truong	1624			
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period was reply to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication D (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 08 Au	<u>igust 2005</u> .				
2a)⊠ This action is FINAL . 2b)☐ This	This action is FINAL . 2b) This action is non-final.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.			
Disposition of Claims					
4) Claim(s) 16-25 and 51-53 is/are pending in the application.					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6) Claim(s) <u>16-25, and 51-53</u> is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/or	election requirement.				
Application Papers					
9)☐ The specification is objected to by the Examiner		,			
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.					
Applicant may not request that any objection to the o					
Replacement drawing sheet(s) including the correction		. ,			
11) The oath or declaration is objected to by the Exa	aminer. Note the attached Office	Action or form PTO-152.			
Priority under 35 U.S.C. § 119	•				
12) Acknowledgment is made of a claim for foreign a laim foreign a laim for foreign a laim foreign a laim for foreign a laim for foreign a laim foreign a laim foreign a laim for foreign a laim foreign	priority under 35 U.S.C. § 119(a)	-(d) or (f).			
1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority documents					
Copies of the certified copies of the priori		d in this National Stage			
application from the International Bureau	• • • • • • • • • • • • • • • • • • • •				
* See the attached detailed Office action for a list of	of the certified copies not receive	d.			
Attachment(s)	_				
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail Da				
Paper No(s)/Mail Date		atent Application (PTO-152)			

FINAL ACTION

Applicant's amendment of 8-8-05 has been fully considered. The amended claims 16-18, 20, 21, 24, 25, and 51 have overcome the previous rejection 112/2nd paragraph by replacing the term "derivatising" or "derivatised" with "reacting" or "reacted", and by deleting the limitation of "R¹ and R² are the same as each other" as well as deleting the limitation of "R⁷ and R⁸ are the same as each other".

The deletion of " OCH_2 " from the definition of X in claim 16 has also overcome the previous rejection of $112/1^{st}$ paragraph.

However, the amended process (a) in claim 16 has not overcome the previous rejection of $112/2^{nd}$ pargraph. A telephone interview with Ms. Christine O'Day was conducted on 10-26-05 for a resolution to overcome said rejection, but no agreement could be reached due to applicant's unavailability.

Therefore, said rejection is maintained herein.

Claims 1-15 and 26-50 are cancelled.

Claims 16-25, and 51-53 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 16-25, and 51-53 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following reasons apply:

- a. Claim 16 recites the limitation of "a compound capable of reacting at the primary amine group of the aminoalkyl moiety $(-(CH_2)_n-NH_2)$ " which has indefinite metes and bounds because it is not clear what structure said compound has. The specification lists 6 moieties or formulae that can react with formula II. However, it is not clear what other functional groups or moieties are intended by said limitation.
- b. Claim 16 also recites process (c) of "optionally converting a compound of general formula I so formed into another compound of general formula I" which has indefinite metes and bounds because it is not clear which compound is converted into which.
- c. Claims 17-25 and 51-53 are rejected as being dependent on claim 16 and carrying over the indefinite limitation and/or the indefinite process (c).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

No pending claim is allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamthom N. Truong whose telephone number is 571-272-0676. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James O. Wilson can be reached on 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tamthom N. Truong

Examiner

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10-27-05

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